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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KEWAZINGA CORP.,)	
)	
Plaintiff,)	Civil Action No. 1:20-cv-01106-LGS
)	
vs.)	
)	
GOOGLE LLC,)	
)	
Defendant.)	
)	

**DECLARATION OF SAUNAK K. DESAI IN SUPPORT OF
PLAINTIFF KEWAZINGA CORP.'S OPPOSITION TO
GOOGLE LLC'S MOTION FOR SUMMARY JUDGMENT OF
EQUITABLE ESTOPPEL, AND IN SUPPORT OF
PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT OF
NO EQUITABLE ESTOPPEL**

I, Saunak K. Desai, declare as follows:

1. I am an attorney in the law firm of Stroock & Stroock & Lavan LLP, attorneys for Plaintiff Kewazinga Corp. (“Kewazinga”).

2. I submit this revised declaration in support of Kewazinga’s Motion in Opposition to Google LLC’s Motion for Summary Judgment of Equitable Estoppel and Kewazinga’s Cross-Motion for Summary Judgment of No Equitable Estoppel.

3. Pursuant to the Court’s August 4, 2020 Order (ECF No. 92), I submit this declaration as a revision to my prior declaration, to which exhibits were attached, filed via ECF on July 29, 2020. ECF No. 78 (attaching sealed exhibits); ECF Nos. 81-83 (attaching public exhibits). In order to avoid any potential confusion with the re-filing of the exhibits attached hereto, they have been identified herein by the same exhibit numbers used to identify them in my prior July 29, 2020 declaration. *See* ECF No. 78. Accordingly, for example, excerpts from a document bearing bates number GOOG-KZGA-00002115 attached hereto are identified herein as Exhibit 45 because that is the same exhibit number used to identify the same excerpts in my prior declaration when those excerpts were filed as an exhibit on July 29, 2020.

4. The following table shows (1) the exhibits that were previously filed on July 29, 2020 that are being filed again herewith pursuant to the Court’s August 4, 2020 Order and (2) the exhibits that were previously filed on July 29, 2020 that are not being filed pursuant to the Court’s August 4, 2020 Order.

Exhibits Filed Herewith Pursuant to Court's August 4, 2020 Order (ECF No. from July 29, 2020 Filing)	Exhibits Not Filed Pursuant to Court's August 4, 2020 Order
Exhibit 1 (ECF No. 78-1)	
	Exhibits 2-4
Exhibit 5 (ECF No. 78-2)	
Exhibit 6 (ECF No. 78-3)	
	Exhibits 7-8
Exhibit 9 (ECF No. 81-9)	
Exhibit 10 (ECF No. 81-10)	
	Exhibits 11-19
Exhibit 20 (ECF No. 81-20)	
Exhibit 21 (ECF No. 78-4)	
Exhibit 22 (ECF No. 78-5)	
	Exhibit 23
Exhibit 24 (ECF No. 78-6)	
	Exhibits 25-40
Exhibit 41 (ECF No. 78-12)	
	Exhibits 42-44
Exhibit 45 (ECF No. 78-14)	
	Exhibit 46-54
Exhibit 55 (ECF No. 78-16)	
Exhibit 56 (ECF No. 78-17)	
Exhibit 57 (ECF No. 78-18)	
	Exhibits 58-63

Exhibit 64 (ECF No. 83-14)	
	Exhibits 65-68

5. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from the deposition transcript of David Worley, dated June 12, 2020.

6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the deposition transcript of Leonard Smalheiser, dated June 10, 2020.

7. Attached hereto as **Exhibit 6** is a true and correct copy of an October 2005 email chain produced in this litigation bearing bates number GOOG-KZGA-00002374.

8. Attached hereto as **Exhibit 9** is a true and correct copy of a certified translation of Chris Sacca, el visionario de Google que lo dejó todo, available at <https://www.codigounico.com/business-class/chris-sacca-visionario-google.html> (last accessed July 29, 2020).

9. Attached hereto as **Exhibit 10** is a true and correct copy of a November 2005 email chain produced in this litigation bearing bates number KEWAZINGA-G-0003187.

10. Attached hereto as **Exhibit 20** is a true and correct copy of excerpts from a document dated June 20, 2006 produced in this litigation bearing bates number KEWAZINGA-G-0003019.

11. Attached hereto as **Exhibit 21** is a true and correct copy of excerpts from the deposition transcript of Jim Sherwood, dated June 11, 2020.

12. Attached hereto as **Exhibit 22** is a true and correct copy of excerpts from an email chain spanning from July 2006 to September 2006 produced in this litigation bearing bates number GOOG-KZGA-00004875.

13. Attached hereto as **Exhibit 24** is a true and correct copy of excerpts from the deposition transcript of Stafford Marquardt, dated June 15, 2020.

14. Attached hereto as **Exhibit 41** is a true and correct copy of excerpts from an August 2013 email chain produced in this litigation bearing bates number KEWAZINGA-G-0003277.

15. Attached hereto as **Exhibit 45** is a true and correct copy of excerpts from a document dated June 24, 2015 produced in this litigation bearing bates number GOOG-KZGA-00002115.

16. Attached hereto as **Exhibit 55** is a true and correct copy of a June 2018 email chain produced in this litigation bearing bates number GOOG-KZGA-00004366.

17. Attached hereto as **Exhibit 56** is a true and correct copy of an email chain spanning from June 2018 to July 2018 produced in this litigation bearing bates number GOOG-KZGA-00004369.

18. Attached hereto as **Exhibit 57** is a true and correct copy of an email chain spanning from June 2018 to August 2018 produced in this litigation bearing bates number GOOG-KZGA-00004373.

19. Attached hereto as **Exhibit 64** is a true and correct copy of excerpts from a document dated January 2006 produced in this litigation bearing bates number KEWAZINGA-G-0002997.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 5, 2020

/s/ Saunak K. Desai

Saunak K. Desai

CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2020, I caused a true and correct copy of the foregoing **DECLARATION OF SAUNAK K. DESAI IN SUPPORT OF PLAINTIFF KEWAZINGA CORP.'S OPPOSITION TO GOOGLE LLC'S MOTION FOR SUMMARY JUDGMENT OF EQUITABLE ESTOPPEL, AND IN SUPPORT OF PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGMENT OF NO EQUITABLE ESTOPPEL** to be filed and served electronically by means of the Court's CM/ECF system in accordance with Federal Rules of Civil Procedure and/or the Local Rules of this Court, upon the following counsel of record:

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